

# *WABASH COUNTY PLAN COMMISSION*

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**Wabash County Board of Zoning Appeals**

**Wabash County Court House**

**Wabash IN 46992**

## **BZA MEETING MINUTES**

### **DECEMBER 28, 2021**

BZA MEMBERS: Dan Dale, Patty Godfroy, Mark Milam, Joe Vogel, Jerry Younce, and Attorney Larry Thrush

PRESENT: Joe Vogel, Mark Milam, Jerry Younce, Dan Dale, Patty Godfroy, Mike Howard, Libby Cook, Sheila Butcher, Glenn Butcher, Paul Pattee, Elden Stoops, Roger Marine, Perry VanMeter

The Wabash County Board of Zoning Appeals met on Tuesday, December 28, 2021. Board Chairman, Joe Vogel called the meeting to order at 7:00 pm. Mr. Vogel asked if there were any additions or corrections to the minutes of the Nov. 23<sup>rd</sup> meeting, there being none he asked for a motion to approve the minutes. Mr. Younce made the motion to approve the minutes as written, this was seconded by Mr. Dale, the motion carried.

Mr. Vogel: The first item on the agenda is Special Exception #16, Glenn Butcher for a pond in Noble Township. Mr. Butcher stated his daughter is planning to build a new home on the 22 acres to the east of his home, she would like to put a pond in on the property before constructing the home. The pond will not be used for geothermal feed, and the watershed into the pond will be from our property. Mr. Howard gave the following specs for the pond: Mr. Butcher will do most of the construction with assistance from Troy Eads and Victor Treska; there are no variance requests, all setback requirements are being met; there are no floodplain or flowage easements concerns; the pond will have approximately  $\frac{3}{4}$  acre water surface; dam will be along the north side of the pond and will be approximately 250 feet long with a base width of 16 feet, the top of the dam will be 10 feet; overflow will be one 24" pipe that will drain to the ditch to the north approximately 30 feet; 12 feet maximum depth; watershed of 11 acres; no geothermal feed; the closest ditch is the Stouffer ditch which is approximately 35 feet; the pond has been reviewed and approved by the Drainage Board and received a favorable recommendation from the Plan Commission Board. Mr. Vogel asked if there were any questions from Board members or the audience, there being none the Board proceeded to vote. In the absence of Mr. Thrush, Mr. Howard and Mr. Vogel tallied the votes, the request was approved.

Mr. Vogel: Special Exception #17, Rhonda Siders for a mobile home in Paw Paw Township, Roann Corp., the request was withdrawn one day after the plan commission board hearing.

Mr. Vogel: Next on the agenda is Special Exception #18, Perry VanMeter for a gunsmithing business in Liberty Township. Mr. VanMeter stated that he is interested in doing gun repair work, and maybe some cold bluing. His home has ADT security on the whole house including the garage where the business will be located. Mr. Vogel asked if there will be any public shooting, and if there would be a containment device for test firing of guns he has worked on. Mr. VanMeter replied no to the public shooting, he does have a range that he shoots into, it is a ravine, he asked if that would qualify for test firing, I am the only one that will use it. Mr. Howard asked about the distance. Mr. VanMeter said less than 50 – 75 yards and that is if I shoot a rifle, if I shoot a pistol it is less than that, I walk up to it. Mrs. Godfroy asked if the ravine is his containment device. Mr. VanMeter said yes, it has three sides. Mrs. Godfroy asked how high the sides are, Mr. VanMeter said 6 – 8 feet. He then asked about the condition of no public advertisement of the business, does that mean I can't put a sign out? Mr. Howard explained that it means no signs on the owner's property, you can advertise in newspapers. Mr. Van Meter said that he is working on the drop box for receiving deliveries. Mr. Dale asked if the business will be by appointment only, Mr. VanMeter said yes. Mr. VanMeter asked about the time frame to get this done. Mr. Howard said you came to us first in order to get your FFL, so anytime within a year. A copy of the conditions have been provided for board members and Mr. VanMeter. Mr. Vogel asked if there were any questions or comments from the Board or audience, there being none the Board proceeded to vote. Mr. Howard and Mr. Vogel tallied the votes, the request was approved unanimously.

Mr. Vogel: The next item on the agenda is Variance #11, Roger Marine for a variance from the setback requirements and placement of an accessory structure in Lagro Township. Board members were provided with aerial photos of the property and photos of the garage. Mr. Howard gave the following information: Mr. Marine resides at 5060 S 600 E; he is the last house on the southeast side of the platted town of Lincolnville. He purchased the steel garage from the Wal-Mart Super Center and North Edge Steel came and constructed the garage; his property is zoned lake residential, the county zoning ordinance states that all accessory buildings in this zone are to be located to the rear of the residence; the garage is in front of the house and is approximately 26 feet from the center of the road; Mr. Marine has stated that it would create a hardship for him to have to have it relocated on the property. Mrs. Godfroy asked if it would create a vision clearance problem for the neighbor to the north. Mr. Howard said that he didn't feel it would be a problem. Mrs. Godfroy asked if the neighbor is complaining, Mr. Howard said all of the neighbors within 250 feet of the property were notified by mail and no one has expressed any concerns. Mr. Milam would like to add the condition that nothing is to be planted on the road side of the building. Mr. Marine stated that he had talked to the land owner south of his property about purchasing some ground but the owner was not interested; this is the only level spot on his property to place the building, the area to the back of the house drifts. Mr. Vogel asked if there were any questions or comments, there were none, the Board proceeded to vote. The first vote was for the variance from the setback requirements, Mr. Howard and Mr. Vogel tallied the votes, the request was approved. The second vote was for the building to be placed to the front of the residence, Mr. Howard and Mr. Vogel tallied the votes, the request was approved. The garage will be permitted to remain where it is located.

Mr. Vogel: the next item on the agenda is the continuation of Petition #1, Glenn Butcher for Bass and Bucks. Mr. Howard said this is a continuation from the Boards discussion from the November meeting, Mr. Stoops, Mr. Roberts, and Mr. Butcher spoke and we had a discussion about everybody's concerns. On December 15<sup>th</sup> Board members, less Patty Godfroy, went out to tour the Bass and Bucks property and see the layout of the range. Mr. Howard continued, at the Nov. meeting Mr. Stoops recommended that Mr. Butcher submit recommendations or things that he would do to improve areas to the Board. The minutes indicate that the Chairman, Mr. Vogel recommended that Mr. Stoops and that group submit their concerns in writing so that we would have those documented. At this time I have not received any documentation from either group.

The Board did take the tour but we have not had discussions since that time as to how Board members feel as to what they saw. Mr. Vogel said we have 3 different lists of conditions presented; Mr. Howard said the first list is the original conditions the Board placed in 2003; the list of conditions from the Plan Commission office is the second list; the third list is the petition list that Mr. Butcher submitted. Mr. Vogel reviewed the requests made by Mr. Butcher:

- To combine the 22 acre parcel with the main parcel. Mr. Howard explained that Mr. Butcher did not own the 22 acre parcel at the time of the 2003 approval, he would like to add it to the complex.
- Primitive, RV, and campers allowed. Mr. Howard suggested removing the word primitive and to use tent, RVs, travel trailers and campers allowed.
- Allow electrical hook-ups.
- No sewer hook-ups and no individual water hook-ups without state approval first. Mr. Howard suggested that they be permitted to provide one central location for water, but no individual hook-ups. You wouldn't have any sewer or water hook-ups for each site. Mr. Vogel asked if the one location for water would need state approval, Mr. Howard said he believes that it will not.
- Current store hours are Monday, Thursday and Friday 9:00 AM – 6:00 PM; Saturday 9:00 AM – 5:00 PM, and Sunday 1:00 PM – 5:00 PM; closed on Tuesday and Wednesday. Mr. Butcher would like the option to change the store hours due to changing markets. Mr. Butcher stated that his hours have been this way for 7 years and we have no current plans to change them. Mr. Howard said on the store hours that he would not be opposed to that but would like for Mr. Butcher to notify the Plan Commission office and let us know if he makes changes, that way we are aware of it. Mr. Milam asked, it is stated hours, do you want it to include days? Mr. Butcher said he would agree to notify the Plan Commission office if he changes store hours or days.
- The range is public use only when the storefront is open. Mr. Butcher said that is correct.

Mr. Dale said, you won't have sewer and water without state approval, does that mean we are giving him permission to get state approval and have sewer and water? Mr. Howard said in order for him to have a registered campground he has to meet state approval. Mr. Dale asked, if he meets state approval, we're out of it right? Mr. Howard said that he didn't know if that would mean we are out of it. Mr. Butcher came in 2 – 3 years after he opened and was going to apply for a campground but I think as long as he meets the state requirements if he wants to have water and electric hook-ups and a dumping station instead of hook-up at every lot. Mr. Dale said it seems like that should be another approval by the Board, I don't feel like they have plans for that right

now. Mr. Butcher said that he has no plans to have that. Mr. Howard said if he does the full campground it would mean completion of a full application, Mr. Butcher said that would be fine.

Mr. Vogel continued:

- Private trainings to be allowed, or private sessions to be allowed after normal hours and closed days. That is referencing law enforcement, employee use, high school practices, hunter education, and 4-H Shooting Sports, etc. those type of organizations.
- Range officers will be present at all shooting stations at all sanctioned shooting events.
- Local Law Enforcement will be notified of any night shooting or trainings.
- Shooting on Sundays before 11:00 AM will be limited to six sanctioned shoots per year, shooting will never begin before 8:00 am.
- IBO regulations in place and enforced.
- NRA regulations in place and enforced. Mr. Butcher said this should say NRA Guidelines.

Mr. Vogel asked if Mr. Butcher was in agreement with the requirements that are written down. Mr. Butcher said yes. Mr. Vogel then asked if any Board members had any questions.

Mr. Younce asked for clarification about the officers. Mr. Butcher said at the sanctioned shoots an organization comes in and runs the shoot. Each stage has a master range officer, he sets the stages and controls the shoot. Each shooting group has two additional officers, one runs the timer and clears the guns when they come off from shooting and if they have a jam he can clear for them to go back to shooting. Then there is another officer that watches everything that goes on. Basically, there are 3 range officers with 2 at each shooting station, then there is one range master who makes sure everything is hot, cold. Mr. Dale asked if that is besides the guy who is going to tap you on the shoulder if you shoot in the wrong direction, Mr. Butcher said that would be the timer, and another one standing back watching him. If there is a group of 10 people, there is one timer with his hand on their shoulder and one watching and making sure the guns get placed in the barrels correctly and the master officer who coordinates everything.

Mr. Vogel asked if there were any questions or comments from the audience. Mr. Elden Stoops introduced himself and stated that he is here for Paul Pattee. Mr. Stoops said that they haven't received anything regarding Mr. Butcher's plans so we had nothing to respond to. Our concerns are the same as the last time, the rules are being violated and have been violated for many years in big ways and some small ways and we are concerned about it for the future. The biggest concern is the lack of enforcement, because complaints have been made and nothing was done to address these. With respect to insurance, we really do feel it is important to have the specifics of whatever insurance is available, and that needs to be updated with the Board so that anyone can know that there is insurance to cover anyone, the neighbors, passersby, people on the river, whatever might happen that there is coverage for that. With respect to most of this stuff we are not objecting to it, you have the 22 acres, the camping, the electric hook-ups, the sewer that is fine. The hours that are there now are not objectional, however, there is shooting out there as early as 8:00 AM and that shouldn't be allowed. I am a little bit concerned when I hear that these are the hours but he is going to be able to change anytime he wants to. I do appreciate the comments that this is not just an open check that they can just do whatever they want, because that could greatly affect the neighbors. Paul has shared with me the videos that he has that shows the sound of a 3 gun shoot and the sound is pretty burdensome on the neighbors. We understand that they have a right to use

their property, we are not suggesting that they don't. We want some limits on that with respect to some simple things like the person there with his hand on his shoulder, I think Glenn indicated that if they do something wrong they would smack you on the head first of all nobody is going to smack someone on the head when they are firing a gun. In the You Tube videos there is no one with a hand on the shoulder that is not happening. There are people with them, close by and they do make sure when the guns are put in the barrels it goes in barrel down. That is not so much our concern it is just that the representations don't meet with the facts. With respect to the private trainings we don't mind that either except that at 6:00 am or 8:00 pm in the summertime the shooting is burdensome on the neighbors as well. We understand the 6 shoots, we don't object to that either, we just want to be sure that they are doing what they say they are going to do and keep you advised of what is going on. With respect to the NRA enforcing it, again all that stuff is fine, the 6 sanctioned shoots are fine too if they do what they say. It is an ongoing theme here, they haven't done that in the past, we don't know what they are going to do in the future. We would like for them to submit everything in writing, let that be enforceable and let us know if they violate and we bring that to the Board's attention that there will be something done to enforce that. That is our primary concern. You mentioned the side berms, that was required in 2003, that has never been put in and the height of the backstop is also a concern. We have done some calculations as to how just a 5 degree variation from a rifle and how far off that bullet will go, so that is critical. Pay and shoot is going on there, you come in pay and go out and shoot, there is no supervision for that, there is no limitation on that, so that is a concern. What I ask is that we get a specific representation from the petitioner as to what they are going to do and we can provide our response to that and let the Board make a determination. We are not here to stop the business or to stop it from expanding. We are not here to stop Mr. Butcher from using it for himself, for the community, for shooters, we are not against guns. The thing is when you are happily living in the country and have the kind of noises generated and at the times it is generated, and the 3 gun shoots are burdensome, but again we are not saying don't do it, what we are saying is make sure it is running the way you say it is, make sure it is the way it is supposed to be.

Mr. Pattee stated that it boils down to the three gun shoots basically, they are not safe. I am close to retirement, when I tried to sell my property, I made the mistake and had them come out when the 3 gun was going and guess what, you don't want to hear that. It sounds like a war going on. You want to move to the country for peace and quiet, not this.

Mr. Stoops said we are asking for reasonable limits to be placed on that.

Mr. Pattee said if it weren't for the three gun shoots we wouldn't be here. That is the key issue, safety and bringing our property values down. I have had two people look at my property and the first thing out of their mouth is I don't want that noise. When I had my range, I didn't have a range because you guys wouldn't allow it, I test fired guns and that was it. I am not sure why I couldn't have a public range too, but I wasn't allowed to. I've got a dirt mound and side wing.

Mr. Stoops: the 2003 regulations I am assuming that those are still going to be a part of this, we are simply adding to that not subtracting from unless they specifically say they want to be exempted from the side berms that are already required now. Some of those are not there and that is part of the issue on enforcement that we really do want enforced. Mr. Tim Roberts indicated that from the angle and the placement of bullets that it clearly came from the range (referencing

the bullet holes in Mr. Doug Unger's barn). There is the possibility that someone at some time could be hurt, or there could be more significant property damage, that is why the insurance is important. We want to be able to ask for specific requests for how they govern it so that that can be enforced in the future. We really want the Board to enforce this because it can have real effects on the general property. It is an issue, when you have a 3 gun shoot, it is constant firing and it is loud and he lives a little way away from it and you can still hear it. Mr. Vogel said with a gun range you are going to have some noise.

Mr. Howard said in his reading, per the Indiana Administrative Code, you can't file a civil suit against a gun range owner for noise, he asked Mr. Stoops if that is correct. Mr. Stoops said not to my knowledge but I haven't gone through that so I don't know. Mr. Howard told Mr. Pattee that I am not saying that there is not noise, obviously we agree and understand. Mr. Stoops said I don't believe we have a noise code here per say do we? Mr. Howard said right, this in IN Code Rule # 14 22 31.5-6 read the IN Code liability related to noise; a person who owns, operates or uses a shooting range is not liable in a civil or criminal matter related to noise or noise pollution that results from the operational use of a shooting range. There are stipulations and I agree with you on this, if the construction and operation of the range was legal at the time of its initial construction or initial operation and the shooting range continues to operate in a manner that would have been legal at the time of inception or initial operation. Mr. Stoops said this is why this is important, we need to know what it is that will be permitted so that we know that it is operated properly, we can't avoid noise, we get that and that is unfortunate for people who live in a certain radius of that. We want some assurance that you will make them follow the rules and that will eliminate some of the issues for us.

Mr. Vogel asked Mr. Stoops if they are wanting to know when the sanctioned shoots are happening. Mr. Stoops said that is right and what the hours of the shoots are going to be because they are not covered by the store hours so that we don't have them going from 7:00 am to 9:00 pm at night. Mr. Dale noted that the conditions say that shooting will never begin before 8:00 am. Mr. Vogel said that the only thing that is not really enforced is the 4-H and high school we don't have an ending time on that. Mr. Stoops said I don't think you could, and I am not arguing with you on that. Mr. Vogel asked, would you like for him to put up on the sign maybe a week in advance when the sanctioned shoots are taking place? Mr. Stoops said it would be nice to know ahead of time to know if there is going to be a 3 gun shoot and it is going to be a miserable day for you. Mr. Howard noted that the three gun shoots are listed on the website. Mr. Vogel asked Mr. Butcher if he has the schedule for 2022, Mr. Butcher said not yet, I was waiting for this approval, they will be advertised. Mr. Vogel said that will kind of address that.

Mr. Vogel said that the Board members went out to the property and agreed that the backstops, in our opinion they are wide enough for where they are shooting and as they get farther away and the elevation changes they do get taller. I think we all agreed that this was suitable. Mr. Dale said that he thinks that Mr. Butcher indicated that some of the dirt from the pond could be used to do some maintenance and keep it where it needs to be. Mr. Howard said that from the February, 2003 minutes which Mr. Stoops pointed out and it does state in here that he would have sides, he then asked Mr. Butcher if he could put some sides in. A back stop of a mound of dirt and sides to prevent any bullets from leaving the range; because they have commented multiple times that it doesn't have any sides, but Mr. Butcher said from the shop to the Star Lodge there is a 20 foot

mound, 200 yards wide that goes into a dirt mound that keeps things from exiting this way, he stated that he has the equipment and could put butterflies on it. We have done it that way for years and not had a problem with it, you guys harping on the barn getting shot, you went out and looked at it, you know so that can't be an issue there. Mr. Vogel said that we don't think the bullets in Mr. Unger's barn came from the Butcher property, based on the angle and where they would have had to come from, we don't think they did. Mr. Butcher said that when we have the sanctioned shoots we are 1 mile from the road, and you have seen my elevations back there, they are 10 times as tall as my front. Mr. Stoops said that we were relying on what Tim Roberts stated. Mr. Bucher said that is another thing I want to point out, ask Mr. Stoops if he has ever been on my property, all he is saying is what he has been fed. He has never stepped foot on my property or taken a picture. Mr. Stoops said that he is simply conveying what Mr. Roberts said at the last meeting, and what Mr. Pattee has indicated to me. I am not here to give my opinion.

Mr. Howard stated that as a Board it is hard to assess a property and determine that the value of that property has depreciated because of a specific reason. We see this a lot in the ag community, where someone complains about a confinement hog building going in and they are trying to sell a property and their property value depreciated, and then all of a sudden they get more for the property than they were asking because somebody comes along that the property fits their need. He told Mr. Pattee that it is just a matter of time before you find that right person that it fits their need.

Mr. Stoops said keep in mind, we are not asking you to shut it down, we are just asking simply that you regulate it and give specific terms what's going to happen, and that 5 years down the road if there is a problem and you determine it is a violation you will address it and treat it as such. We just want to know that the Board has our backs on this and that the Board is going to enforce the rules, that is all we can ask. Mr. Howard said that he agrees with that. Mr. Vogel said we will enforce these rules for you, we certainly plan to. Mr. Stoops said that we would like to see what it is that they are proposing so we would know, but we still don't have anything. Mr. Milam asked basically the petition for the new items you are agreeable with those? Mr. Stoops said we are not arguing about the camping, the sewer, anything. Mr. Milam asked, what you are concerned about are the 2003 issues that have not been completed as to the minutes, 1 being sides on the mound. Mr. Stoops said my point is that those (conditions from 2003) stay on record as a requirement and if they are violated now or in the future the Board can take a course of action. Mr. Milam said primitive camping was one of them and that will be satisfied with the new provisions; electrical hook-ups and that will be satisfied; Mr. Howard continued, no water or sewage hook-ups and that will be satisfied; 6 sanctioned Sunday shoots; there could be Sunday shooting going on besides those when the business is open. Mr. Stoops said liability insurance needs to be on file and kept updated. Mr. Milam asked why is the insurance an issue, how can we regulate that as a Board on his personal business? Mr. Stoops said he has liability and the county is indicating their authority and that authority is to do certain things and some of those things could be dangerous, for example he is letting people pay to go out there and shoot, they can shoot wherever they want if they choose to do that, that is his responsibility. He is letting people pay and go out and shoot and he has indicated that would be monitored, that is not the way it is supposed to work, so that happens. If he is given permission by this Board to operate his business in a certain way and he doesn't do it then his liability that results even with his insurance in place. As an attorney I deal with this all the time, if I am supposed to have car insurance and I don't and I go out and run somebody down

who is going to pay for that? Mr. Milam asked why should we enforce your car insurance, Mr. Stoops said you shouldn't because you didn't give me permission to drive the State did. Mr. Howard said I understand what you are saying and we have talked with Mr. Thrush about this before, but we have never required proof of insurance from anyone so to be fair to him we are talking with Mr. Thrush about it. Mr. Stoops said if he is required to have insurance, and that is a condition of the Board, whether he gives it to you or not and at some time he doesn't have it, the Board can take action to ensure that it doesn't happen in the future. Again, we are not wanting to affect the business, we are just affecting some of the uses that have an outside impact on some of the properties around it. Mr. Vogel noted that we have not required proof of insurance for any other business we have permitted, that is their responsibility. Mr. Stoops said that some of those shots could go well off the property and have an off-site impact, it is a different situation. Mr. Howard said I don't have a problem and I don't think Mr. Butcher would have a problem with us saying that he is required to have insurance but as far as us knowing the amount and what is covered I don't think that is our business. Mr. Butcher said he doesn't have a problem with that. Discussion on the insurance coverage continued, Mr. Vogel stated that he has an element of risk and he needs to insure for the risk that is out there and if he doesn't he is going to get sued but I don't think that is the county's place to say how much or how many levels of insurance he has. Mr. Vogel said basically we are only changing the electric hook-ups we are allowing him to plug in. Mr. Butcher noted that the hours of operation have changed, currently they are open Sunday from 1:00 – 5:00; Monday, Thursday, and Friday from 9:00 – 6:00, and Saturday from 9:00 – 5:00, that is what we have been at for 7 years.

Mr. Howard asked Mr. Butcher, Mr. Stoops and the Board if they would have any objections if he would take his notes from tonight and type up a list of the conditions, send a copy of it to both parties to be reviewed and if we need to make adjustments maybe we could do that before the next Board meeting on January 25<sup>th</sup>. Mr. Stoops said they would be fine with that, Mr. Howard said that he would e-mail the information to him. Mr. Butcher said he could not put this off another month due to scheduling events. He has people come from all over the country and he can't wait another month to put his schedule out there. They had this copy last month and we haven't really changed anything on it, except for the NRA Guidelines instead of regulations; and just change the sewer with no water, so I don't feel I should be penalized another month when I have done this two months in a row and he has had this sheet all this time. I took you guys and we toured; this puts me in a scheduling mess. We usually do the schedule in mid-December and we have already put it off. It really needs to be done Jan. 1. Mr. Dale asked what needs to be approved before you can set your schedules, because we are not shutting you down, basically, we might have some new rules you have to go by but you are still open.

Mr. Butcher said no other range in Wabash County has any stipulation. There is no noise ordinance. Mr. Pattee shoots right across the river from his house. Tim Roberts shoots 1,000 more than I shoot. You guys looked at everything, the ground is safe so what am I missing? Mr. Pattee said that Tim Roberts is not a public range. Mr. Butcher said they say it is not a public range but if you go out there each member can bring in 4 guests at each check-in. My ranges are monitored, videoed, we police it. We don't have a range official out there full time when the public is out there but we have done this for 21 years with no problems. Isaac Walton League is the same thing. Mr. Butcher said if it is about the insurance I will agree to it, I've got insurance it would be stupid not to have insurance.

Mr. Vogel asked the Board members if they felt they had the information they needed to vote on this tonight. Board members agreed that they could proceed with the vote with the following being added: proof of insurance; wings added to the backstops it was noted that wings are not required in the NRA guidelines as long as the mound is long enough and Mr. Butcher meets this condition, this was in the original conditions, there should be a time frame, Mr. Butcher said that he would add 10 foot wings when it is dry enough and that he would send pictures; the Board will follow up on complaints.

Mr. Howard reviewed the conditions:

1. Addition of the 22 acre parcel to the 2003 Bass and Bucks S.E. Application dated 1/6/2003, approved by the BZA.
2. RV's, Campers, Tents, Travel Trailers permitted under 410 IAC6-7.1-16 "Temporary Campground" which means a campground operated no more than ten (10) consecutive days per event and not more than thirty (30) days a calendar year. Temporary campgrounds are under the jurisdiction of local health officers.
3. Electrical hook-ups are permitted for each campsite. Individual water and sewer hook-ups are not permitted per each camp site. A main water supply shall be available to patrons.
4. Current store hours and days of operation are as follows:
  - Monday 9:00 AM to 6:00 PM
  - Tuesday Closed
  - Wednesday Closed
  - Thursday 9:00 AM to 6:00 PM
  - Friday 9:00 AM to 6:00 PM
  - Saturday 9:00 AM to 5:00 PM
  - Sunday 1:00 PM to 5:00 PM
5. Owner has the option to change days of operation and hours of operation, but must notify the Wabash County Plan Commission Office prior to changing days and/or hours of operation.
6. Public use of the Rifle Range shall only be permitted during open hours of storefront except as listed within these conditions.
7. The following shall be allowed on the rifle range after normal open business hours and/or closed business days:
  - a. Private individual (one on one) training.
  - b. Law Enforcement exercises or Law Enforcement individual practice.
  - c. Bass and Bucks employee use.
  - d. High School practices.
  - e. Hunter Education program practices.
  - f. 4-H Shooting Sports program.
  - g. Boy Scouts and Girl Schout Shooting Education programs.
  - h. YMCA Shooting Education programs
  - i. Agencies that are required to certify their weapons in the State of Indiana. It is understood that some of these agencies do not permit the employees or staff of Bass and Bucks to be present during weapons qualification.

- j. Night shoot certification by agencies is permitted as required. Local law enforcement shall be notified by Bass and Bucks when night shoots are to take place.
8. Shooting before 11:00 AM on Sunday shall be limited to the permitted 6 per year sanctioned shoots. No shooting shall be permitted prior to 8:00 AM during the permitted 6 per year sanctioned shoots.
9. Range Officers will be present at all stations during all sanctioned shooting events.
10. IBO regulations shall be in place and enforced.
11. NRA guidelines shall be in place and enforced.
12. Bass and Bucks to provide proof of insurance to the Wabash County Plan Commission Office.
13. Bass and Bucks to add wings to rifle range back stops.

Mr. Butcher agreed to the conditions. Mr. Stoops said we will agree to this as long as he does what he agrees to.

Mr. Vogel asked for a motion from the Board. Mr. Milam made the motion to vote on Petition #1, the new conditions for the operation of the business Bass and Bucks. Mr. Milam made the motion to approve the changes to the conditions. This was seconded by Mr. Dale. A roll call vote was taken, Mrs. Godfroy abstained from voting, the remaining 4 Board members all voted yes to approve the conditions. Mr. Howard will get copies of the conditions to Mr. Butcher and Mr. Stoops.

Mr. Howard gave the Board the following updates:

- Howard Halderman will be speaking to the PCB on January 6<sup>th</sup> about solar farms, he worked with Pulaski County on their recent solar farms
- Continuing to work on the County Ordinance draft.
- Imagine One 85 comprehensive plan, a copy of the plan was submitted to the steering committee, they returned it to the company for revisions. They hope to have the revisions by their January meeting.
- No complaint updates.

There being no further business Mr. Vogel asked for a motion to adjourn. Mrs. Godfroy made the motion to adjourn, this was seconded by Mr. Milam. The meeting adjourned at 8:25 pm.

*Libby Cook*  
*Secretary, Wabash Co. Board of Zoning Appeals*  
*mth*